

REMARKS

In response to the present office action, Applicant has canceled Claims 1-4, 6-8, 11-14, and 16-19. In addition, Applicant has amended Claims 5 and 15 and added new claims to overcome the objections and rejections cited by the examiner. For example, Claim 5 now requires a bad surrounding sector recording step whereby "if the surrounding sector is not a bad sector, the address of the surrounding sector is deleted from the memory." Thus, the memory step is adjusted based on whether the surrounding sector is a bad sector. In contrast, the cited reference *Otteson* merely states that "any defective SAT-sites are recorded." Col. 4, lines 53-54. *Otteson* does not delete from memory the address of sites that are tested and found to be good sectors. For this reason alone, Claim 5 is allowable over the cited combination of references.

In addition, Claim 5 requires some of the language from canceled Claim 6, namely, "if the number of steps of error recovery procedures executed for data recorded in the surrounding sector exceeds a predetermined specified value, the detecting step detects that the surrounding sector is a bad sector." In contrast, *Dixon* only discloses flagging an error or sector "if an error occurs." *Dixon* does not flag a sector for exceeding a limited number of error recovery procedures.

Furthermore, Claim 5 requires the elements of canceled Claims 7 and 8, including "detecting step to further comprise processing that deletes an address of a sector, a search for which has already been completed, from the addresses of the surrounding sectors in the memory; and processing whereby focusing on the two bad sectors adjacent to each other, each address of surrounding sectors adjacent to one bad sector is mutually compared with each address of surrounding sectors adjacent to the other bad sector, and one of duplicated surrounding sectors is deleted from the memory." On pages 25-26 of the present office action, the examiner proposes that *Stockman* provides the necessary elements in combination with the other references.

Applicant is confused how a reference entitled, "Connected Components or COLORING program" is relevant to the present application. In particular, *Stockman* states that it is "for identifying objects which are connected 'blobs' of '1's in a background of '0's." What does this have to do with disk drives? Where would one of ordinary skill in the art find a teaching or suggestion to combine this reference to *Dixon* or *Otteson*? How does the examiner apply a program that prompts for "an image file name and 4 or 8 connectivity" to the present invention? Moreover, the index on the last page of *Stockman* cites numerous post-filing references from 2005, which would render *Stockman* ineligible as a prior art reference to the present application.

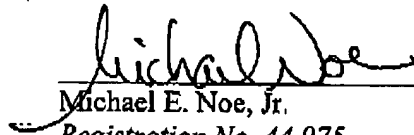
Likewise, independent Claim 15 includes the language of canceled Claims 16 and 17, which were similarly rejected over a combination with *Stockman*. Since one skilled in the art would not find a teaching or suggestion to join that reference in combination with the others, it does not stand for the cited proposition, and it is disqualified as a prior art reference that contains 2005 material, the amended claims are in condition for allowance.

In addition, the new Claims 20-22 are narrowly tailored to the method shown in Figure 2, which is fully described in the specification starting at page 12, paragraph 33, and continuing to page 14, paragraph 29. The cited combination of prior art references does not show, describe, suggest, or teach the objective content of these steps, nor the sequence in which the steps are prescribed.

It is respectfully submitted that the application is in condition for allowance and favorable action is requested. The commissioner is hereby authorized to charge any additional

fees that may be required to Hitachi Global Storage Technologies' Deposit Account Number 50-2587.

Respectfully submitted,


Michael E. Noe, Jr.
Registration No. 44,975
BRACEWELL & GIULIANI LLP
P.O. Box 61389
Houston, Texas 77208-1389
Telephone: 512.472.7800
Telecopier: 512.479.3923

ATTORNEY FOR APPLICANTS